

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JONATHAN WALLACE,

Plaintiff,

19 CIVIL 1083 (VB)

-against-

**JUDGMENT**

TIMOTHY MCCARTHY,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated November 9, 2020, the Court adopts the R&R as the opinion of the Court, and the petition for a writ of habeas corpus is denied; accordingly, this case is closed. As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal.

**DATED:** New York, New York  
November 10, 2020

RUBY J. KRAJICK

BY: \_\_\_\_\_

Clerk of Court

David J. Llorente

Deputy Clerk